

JUL 01 2008

FILED
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

E-filing

PETITION FOR A WRIT OF HABEAS CORPUS FOR PERSON IN STATE CUSTODY

Name Williams Kevin L.
 (Last) (First) (Initial)

Prisoner Number #057632-2

Institutional Address P.O. Box 7001 ATASCADERO STATE HOSPITAL
Atascadero, Ca. 93423

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Kevin Lee Williams
 (Enter the full name of plaintiff in this action.)

vs.

County Sheriff of
Alameda County

(Enter the full name of respondent(s) or jailor in this action)

Case No. #03 cv 01 04525
 (To be provided by the clerk of court)

**PETITION FOR A WRIT
 OF HABEAS CORPUS**

also #149916
in Ala.

Read Comments Carefully Before Filling In

When and Where to File

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in this district if you are challenging the manner in which your sentence is being executed, such as loss of good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

If you are challenging your conviction or sentence and you were not convicted and sentenced in one of the above-named fifteen counties, your petition will likely be transferred to the United States District Court for the district in which the state court that convicted and sentenced you is located. If you are challenging the execution of your sentence and you are not in prison in one of these counties, your petition will likely be transferred to the district court for the district that includes the institution where you are confined. Habeas L.R. 2254-3(b).

PET. FOR WRIT OF HAB. CORPUS

- 1 -

Who to Name as Respondent

You must name the person in whose actual custody you are. This usually means the Warden or jailor. Do not name the State of California, a city, a county or the superior court of the county in which you are imprisoned or by whom you were convicted and sentenced. These are not proper respondents. Attorney General is Jerry Brown

If you are not presently in custody pursuant to the state judgment against which you seek relief but may be subject to such custody in the future (e.g., detainers), you must name the person in whose custody you are now and the Attorney General of the state in which the judgment you seek to attack was entered.

A. INFORMATION ABOUT YOUR CONVICTION AND SENTENCE

1. What sentence are you challenging in this petition?

- (a) Name and location of court that imposed sentence (for example; Alameda County Superior Court, Oakland):

Alameda County Oakland

Court

Location

- (b) Case number, if known #03-cv-07-04525

- (c) Date and terms of sentence 4 years with halftime

- (d) Are you now in custody serving this term? (Custody means being in jail, on parole or probation, etc.) Yes ☒ No ☐

Where? In Atascadero State Hospital

Name of Institution: ASH

Address: P.O. Box 7001 Atascadero, Ca. 93423

2. For what crime were you given this sentence? (If your petition challenges a sentence for more than one crime, list each crime separately using Penal Code numbers if known. If you are challenging more than one sentence, you should file a different petition for each sentence.)

N/A

3. Did you have any of the following?

Arraignment: Yes ☒ No ☐

Preliminary Hearing: Yes ☐ No ☒

Motion to Suppress: Yes ☐ No ☒

4. How did you plead?

Guilty ☐ Not Guilty ☒ Nolo Contendere ☒

Any other plea (specify) _____

5. If you went to trial, what kind of trial did you have?

Jury N/A Judge alone N/A Judge alone on a transcript N/A

6. Did you testify at your trial? Yes ☐ No ☒

7. Did you have an attorney at the following proceedings:

(a) Arraignment Yes ☐ No ☒

(b) Preliminary hearing Yes ☒ No ☐

(c) Time of plea Yes ☒ No ☐

(d) Trial Yes ☐ No ☒

(e) Sentencing Yes ☒ No ☐

(f) Appeal Yes ☐ No ☒

(g) Other post-conviction proceeding Yes ☐ No ☒

8. Did you appeal your conviction? Yes ☐ No ☒

(a) If you did, to what court(s) did you appeal?

Court of Appeal Yes N/A No N/A

Year: N/A Result: N/A

Supreme Court of California Yes ☐ No ☐ I MIGHT

Year: 2008 Result: Need time to situate

Any other court Yes ☐ No ☐ same after above

Year: Nope Result: Not Yet

(b) If you appealed, were the grounds the same as those that you are raising in this

petition?

Yes ☒

No ☒

(c) Was there an opinion?

Yes ☒

No ☐

(d) Did you seek permission to file a late appeal under Rule 31(a)?

Yes ☐

No ☒

If you did, give the name of the court and the result:

Superior Court of Alameda County.
Result would work out then.

9. Other than appeals, have you previously filed any petitions, applications or motions with respect to this conviction in any court, state or federal? Yes ☒ No ☐

[Note: If you previously filed a petition for a writ of habeas corpus in federal court that challenged the same conviction you are challenging now and if that petition was denied or dismissed with prejudice, you must first file a motion in the United States Court of Appeals for the Ninth Circuit for an order authorizing the district court to consider this petition. You may not file a second or subsequent federal habeas petition without first obtaining such an order from the Ninth Circuit. 28 U.S.C. §§ 2244(b).]

(a) If you sought relief in any proceeding other than an appeal, answer the following questions for each proceeding. Attach extra paper if you need more space.

I. Name of Court: U.S. District Court/Northern District

Type of Proceeding: New action filing / motion to reinstate Suit

Grounds raised (Be brief but specific):

a. I feel the matter should be ongoing

b. I feel the resolution should be higher

c. I feel very disrespected

d. I feel my Civil Rights were violated

Result: from \$10,000 to \$50,000 Date of Result: Result to pay

II. Name of Court: U.S. District Court/Northern District

Type of Proceeding: New Hearing

Grounds raised (Be brief but specific):

Dear United States District
Court, Northern District;

I'm currently only filing an
Civil Suit but I could've been re-
leased by now on the grounds of Civil
Rights infractions of illegal detainment
and disrespect of Human Rights. My
case holds a Penal Code Section 667.5
(a), and Section Code 667.5(c), the clause
sent me to state at the end of my
sentence, when in fault my Civil Rights
were violated and I became partially
deaf and badly meddled on small amounts
of medication for a cutdown I feel of
prisoners, that being County of Alameda
Mental Health.

I'm ~~with~~ writing this under Pg.
4 of the Writ of Habeas Corpus, line
10 as my explanation, correlation of
undocumented questioning and with that
here you go.

Mr. Williams

- a. lack of understanding by Sheriff or thereof
 b. emotional strain
 c. participation, longwith-standing energy on
 d. stress

Result: awaiting Date of Result: 5/24/08

III. Name of Court: U.S. District Court/Northern District

Type of Proceeding: Motion to file #03-cv-07-07525

Grounds raised (Be brief but specific):

- a. would like to mercy the Court
 b. acknowledgement of, vs. Court action
 c. the not sorta Gag by Sheriff
 d. and the patience

Result: Thank You Date of Result: 5/24/08

IV. Name of Court: U.S. District Court/North District

Type of Proceeding: Change of Venue / Sacramento

Grounds raised (Be brief but specific):

- a. Would like to Change of Venue / case, civil suit
 b. would like to fight my 667.5(c)
 c. would like to fight my case again, and re-
 d. would like to ask for \$50,000.00 start suit

Result: not sure Date of Result: 5/25/08

(b) Is any petition, appeal or other post-conviction proceeding now pending in any court?

Yes ☐ No ☒

Name and location of court: Sacramento County Court / Sacramento

B. GROUNDS FOR RELIEF

State briefly every reason that you believe you are being confined unlawfully. Give facts to support each claim. For example, what legal right or privilege were you denied? What happened? Who made the error? Avoid legal arguments with numerous case citations. Attach extra paper if you

Dear United States
District Court,

Hello this is Williams, Kevin
#057632-2, here in Atascadero State
Hospital and I would like to explain
myself a little about my current
placement, it's up to the Courts if
or one also to see that this situation
~~comes~~ comes across fair and willingly
and in the best of hands. I don't
have argument, but I did deteriorate
since being in Alameda County Jail
and I feel I should warn that a
higher hearment maybe what I need
since this is base material? I'm
asking the Court leverage to be moved
for both Civil and Criminal, might, through
Appeals since my Case is delicate,
that being my Civil suit. I'll dig some-
more and see, but I'll also contact the
District Attorney's Office to see if they
can drop the clause of possession of
a weapon, and with that thank you.

Ms. Williams

P.S. I would like to move on
on my Civil suit.

1 need more space. Answer the same questions for each claim.

2 [Note: You must present ALL your claims in your first federal habeas petition. Subsequent
3 petitions may be dismissed without review on the merits. 28 U.S.C. §§ 2244(b); McCleskey v. Zant,
4 499 U.S. 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).]

5 Claim One: Psychiatric Disorder

6
7 Supporting Facts: While in Alameda County Jail
8 living standards were poor, no psychiatric
9 wing for Acute / Middle Treatment.

10
11 Claim Two: Tormenting of Prisoners

12
13 Supporting Facts: While layed in a hallway
14 Deputies used to open or talk
15 through the doors and say words
16 like "Jaycat" or question us like we
17 Claim Three: ^{were stupid.} Stripped out of Clothes

18
19 Supporting Facts: While not answering the emergency
20 button, reasons to be seen period through
21 all channels would mean saying that I'm
22 suicidal and things of that nature.

23 If any of these grounds was not previously presented to any other court, state briefly which
24 grounds were not presented and why:

25 I originally asked for my Blood thinner
26 and my Psych. Meds upon landing in
27 County Jail.

1 List, by name and citation only, any cases that you think are close factually to yours so that they
2 are an example of the error you believe occurred in your case. Do not discuss the holding or reasoning
3 of these cases:

4 Schaffer vs. Alameda County

5
6
7 Do you have an attorney for this petition?

Yes _____ No ☒

8 If you do, give the name and address of your attorney:

9 Self defense / Keri L. Williams #057632-2

10 WHEREFORE, petitioner prays that the Court grant petitioner relief to which s/he may be entitled in
11 this proceeding. I verify under penalty of perjury that the foregoing is true and correct.

12
13 Executed on May 24, 2008

14 Date

Keri Williams

Signature of Petitioner

15
16
17
18
19
20 (Rev. 6/02)

Kenneth J. Williams Unit 2 Box 10

Maricopa Arizona

Box 7004 Maricopa AZ 931

JUN

3

2003

Maricopa, Ca.

93423



USA First-Class



USA First-Class



Tiffany Lamp



Tiffany Lamp

RECEIVED

JUN 5 2008

IS

Office of the Clerk
U.S. District Court
Northern District
450 Golden Gate Avenue
San Francisco, Ca.

94102